

DECISION

Mr. Perin
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

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FILE: B-216747.2**DATE:** December 3, 1984**MATTER OF:** Weldtest, Inc.--Reconsideration**DIGEST:**

Solicitation provision which states that offerors may be required to prove experience in comparable work is conditional and not sufficiently specific and objective to be considered a definitive responsibility criterion.

Weldtest, Inc. (Weldtest), requests reconsideration of our decision in Weldtest, Inc., B-216747, Oct. 22, 1984, 84-2 C.P.D. ¶ _____, dismissing Weldtest's protest against the award of a contract to Constructora Sentos e Matos, Lda. (CSM). In our decision, we stated that our Office does not review protests concerning affirmative responsibility determinations unless there is a showing of possible fraud or bad faith on the part of contracting officials or an allegation that definitive responsibility criteria have been misapplied.

In its reconsideration request, Weldtest states that the foundation of its protest is that definitive responsibility criteria have been misapplied. Weldtest states that paragraph 3 of the Instructions and Notices of the solicitation provides that offerors "may be required to prove they have experience in comparable work" (emphasis added). Weldtest argues that, if this had been done, CSM would not have been awarded a contract under this solicitation.

Definitive responsibility criteria are specific and objective standards established by an agency for a particular procurement for the measurement of an offeror's ability to perform the contract. These special standards of responsibility limit the class of offerors to those meeting specified qualitative and quantitative qualifications necessary for contract performance, such as specific experience requirements. See A.R. & S. Enterprises, Inc., B-201924, July 7, 1981, 81-2 C.P.D. ¶ 14. The solicitation clause here gives the contracting officer discretion ("may") as to whether to require proof of an unspecified amount or

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type of prior experience. The clause is permissive and not sufficiently specific and objective to be considered a definitive responsibility criterion. See Gaffny Plumbing and Heating Corporation, B-206006, June 2, 1982, 82-1 C.P.D. ¶ 521.

Since no error of fact or law has been shown, our prior decision is affirmed.

for Milton J. Fowler
Comptroller General
of the United States